

T: 07900 413080  
DDI: 0207 692 0643

E: [stuart@smplanning.com](mailto:stuart@smplanning.com)  
W: [www.smplanning.com](http://www.smplanning.com)

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80-83 Long Lane,  
London,  
EC1A 9ET

**Via Planning Portal only**

22<sup>nd</sup> December 2022

Dear Sir/Madam,

**APPLICATION FOR FULL PLANNING PERMISSION FOR THE CHANGE OF USE FROM CLASS E (RESTAURANT) TO A SUI GENERIS (RESTAURANT/TAKEAWAY), INSTALLATION OF AIR CONDITIONING UNIT, ALTERATION TO EXISTING FLUE AND SHOPFRONT AND ASSOCIATED WORKS (DEVELOPMENT ALREADY CARRIED OUT)**

**33 GOODGE STREET, LONDON, W1T 2PS**

Please accept this covering letter as a planning, design and heritage statement and accompaniment to this planning application for the change of 33 Goodge Street from a restaurant to a restaurant/takeaway with associated flue and shop front alterations, air conditioning units and related works. This application has been submitted concurrently with an advertisement consent application.

The application comprises a completed application form, the application fee, a location plan, a full suite of existing and pre-existing floor plans and elevations. An operator statement, noise assessment, odour assessment and sustainability statement will follow.

**The site:**

The application site is part of a four-storey Georgian terrace, with basement, on the southern side of Goodge Street, between the junction of Whitfield Street and Charlotte Street. The property is currently in mixed use comprising a commercial unit at basement and ground floor with residential uses above.

The property is not listed but is located in Charlotte Street Conservation Area. The neighbouring building at no. 35 Goodge Street is grade II listed. The site is located in the central activity zone, a designated neighbourhood centre and is in an area with a PTAL rating of 6b (the best).

The surroundings are characterised by dense retail/commercial development at street level and predominantly residential uses on the upper floors.

**Planning History:**



On the 16<sup>th</sup> of July 1987, planning permission was granted (reference 8700695) for the erection of an external extract flue to the rear running the full height of the building as shown on 2 x unnumbered drawings.

**The proposal:**

The proposal seeks planning permission for the change of use from Class E (Restaurant) to Sui Generis (Restaurant/Takeaway), installation of air conditioning units, alterations to the existing flue, shop front alterations and associated works (development already carried out).

For full details of the proposed development, please see the submitted plans.

**Planning Policy:**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The following sections are relevant to the consideration of this application; Section 7 (Ensuring the Vitality of Town Centres), Section 11 (making effective use of land), Section 12 (achieving well designed places) and Section 16 (Conserving and enhancing the historic environment).

***Local***

For the purposes of this application, the adopted development plan for the London Borough of Camden comprises the London Plan (2021), the Camden Local Plan (2017) and Camden Planning Guidance Documents (CPG) Access For All (2019), Amenity (2021), Design (2021), Planning for Health and Wellbeing (2021), Town Centres and Retail (2007) and Charlotte Street Conservation Area Appraisal and Management Plan (2008).

The below policies are considered most pertinent to the determination of the application:

**London Plan (2021)**

D1 – London's Form, Character and Capacity for Growth  
D3 – Optimising Site Capacity Through a Design Led Approach  
D4 – Delivering Good Design  
D5 – Inclusive Design  
D13 – Agent of Change  
D14 – Noise  
HC1 – Heritage Conservation and Growth  
E2 – Providing suitable Business Space  
E9 – Retail, Markets and Hot Food Takeaways  
T4 – Assessing and Mitigating Transport Impacts  
T6 – Car Parking  
T7 – Deliveries Servicing and Construction  
GG3 – Creating a Healthy City



## Camden Local Plan (2017)

G1 – Delivery and Location of Growth  
TC1 – Quantity and Location of Retail Development  
TC2 – Camden’s Centres and Other Shopping Areas  
TC4 – Town Centre Uses  
C6 – Access for All  
E2 – Employment Premises and Sites  
A1 – Managing the Impact of Development  
A4 – Noise and Vibration  
D1 – Design  
D2 – Heritage  
D3 – Shop Fronts  
T1 – Prioritising Walking, Cycling and Car Free Development  
T4 – Sustainable Movement of Goods and Materials

### ***Principle of Development***

Paragraph 86 of the NPPF identifies the important role that town centres play at the heart of local communities and states that decisions should take a positive approach to their growth, management and adaption whilst promoting the long-term vitality and viability of town centres. Paragraph 78 highlights the importance of locating main town centre uses (including restaurants and takeaways) in designated centres.

London Plan Policy SD8 supports a range of functions in designated centres including retail, leisure, restaurant and takeaway uses.

Local Plan Policy E1 states that the Council will support business of all sizes, particularly small enterprises, by ensuring that a range of premises are available to meet the needs of businesses. Policy TC1 outlines a preferential sequential approach to directing town centre uses to designated centres. Policy TC2 sets out that the Council will protect and enhance the role and character of designated centres and ensure that they retain an array of appropriate uses. Appendix 4 of the Local Plan states that neighbourhood centres within the central activity zone should have a minimum 50% as retail frontage and a maximum proportion of 25% as restaurant, drinking establishment and hot food takeaway uses. London Plan Policy E9 outlines that development for hot food takeaways should be managed to avoid over concentration in designated centres. The Town Centre and Retail CPG supplements the aforementioned Local Planning Policy Objectives.

The site is located in a designated local centre and is not located in designated primary or secondary shopping frontage. The development results in a change of use of a ground floor commercial unit from restaurant (Class E) to mixed use restaurant/takeaway (Sui Generis Use Class). The development does not alter the proportion of retail and non-retail uses in the designated local centre. The property is not located in close proximity to any existing or proposed schools. The proposed use is wholly appropriate in a designated centre. The change of use introduces a new small business, expanding the range of services available in the centre, contributing positively to the vitality and viability of the designate centres. The development is therefore acceptable in principal and accords with Local Plan Policies TC1, TC2 and E1, Camden’s Town Centres and Retail CPG, London Plan Policies SD6 and SD8 and the NPPF.



### ***Design, Visual and Heritage Impacts***

The NPPF advocates high quality design as an integral part of achieving sustainable development. London Plan Policies D1 and D3 requires new development to achieve the highest design standards, ensuring that development respects the local context and promotes the creation of active frontages at street level. Local Plan Policies D1 and D3 require new development and shop fronts to be designed to high standards including material finish and detailing, having regard to the surrounding area.

The Design CPG states that new development should respond positively and contribute to the historic environment in the borough, having consideration for design and function of the site as the surrounding area, and seeking opportunities to improve the quality of an area. In respect to shop fronts, the CPG advises that alterations to existing shop fronts should be sensitively designed, so not to detract from the surrounding area.

Charlotte Street Conservation Area Appraisal (2008) sets out that characteristic details of the Conservation Area include mostly 4 storey C19 – C20 buildings, mostly Georgian, laid out in rows of terraced town houses with regular sash window patterns that reduce in height up buildings, mostly of yellow stock brick construction with feature detailing, slate roofs and chimney stacks. Many of the town houses have been divided into multiple occupancy and commercial uses on lower floors. The mix of residential and business uses, generally comprising of small independent businesses, maintains the vitality and character of the area and reflects its bohemian quality.

The appraisal and management plan highlights that threats to the conservation area include inappropriate materials and detailing, inappropriate scale, bulk and massing and failure to respect traditional plot module and inappropriate replacement shop front elements. It is also noted that the variety of uses in the area contributes positively to its character. The application building is identified as making a positive contribution to the character and appearance of the conservation area, but the shopfront is not identified as being of merit.

The application site is located on a street which is characterised by active commercial frontages, at ground floor level, with associated shop fronts and signage. The street scene is prevalent of several types of advertisements including illuminated fascia and projecting signs, retractable awnings, fixed canopies and painted shopfronts (figure 1).





Figure 1: Google Street View Image (December 2021), looking east along Goodge Street from the junction with Whitfield Street.

The pre-existing shopfront was not of any special historic or architectural merit. The former fixed projecting fascia signage and fixed external security railings were dominant and detracting features and the obscure glazing created an inert frontage. The stepped access also did not promote inclusive access (figure 2). Nonetheless, the stall riser, pilasters, transom, mullion and panelled door and fan light are traditional shopfront features.



Figure 2: Google Street View Image (2014) of the pre-existing frontage.



The development removed the unsympathetic fixed canopy fascia sign and re-modelled the shopfront to provide a largely glazed shopfront with small stall riser and level access to the street. The shopfront retained the existing Pilasters and comprises clear glazing that re-activates the street level frontage. The door arrangement broadly aligns with the openings above, reinstating symmetry (figure 3). The replacement signage is subject to a separate advertisement consent application and is not the subject of this application.



Figure 3: Photograph of existing frontage.

The proposed alterations to the existing flue are minor. The air conditioning unit replaces an existing air condition unit and like the existing flue, is located to the rear and are not readily visible from public vantage points.

The works are sympathetic to the host building and preserve the contribution the building makes to the character and appearance of the conservation area and the setting of the neighbouring listed building. The proposal complies with Local Plan Policies D1, D3 and HC1, the Design CPG, London Plan Policies D3 and D5 and the design and heritage aims of the NPPF.

### ***Neighbour amenity***

Paragraph 130 of the NPPF states that decisions should ensure development creates places that area safe, accessible with a high standard of amenity for existing and future users. London Plan Policy D3 highlights the importance of ensuring buildings are well designed to prevent harm to neighbour amenity, particularly in respect to noise and air quality. Local Plan Policies T2 and A1 seeks to ensure that new development protects neighbour amenity in respect to privacy, outlook, light, noise and odour impacts. Policy A4 emphasises that development that generates unacceptable levels of noise will not be supported. The amenity CPG advises that proposals for food and drink uses should be accompanied by an acoustic report.



The scheme has been designed to minimise adverse neighbour amenity impacts. Existing external plant (kitchen extract) has been improved through the installation of improved filters and silencers. New plant has been sited away from the nearest noise sensitive receptors and is appropriately insulated. A detailed noise assessment and odour assessment accompanies the submission.

The opening hours for the restaurant/ takeaway are between 11am and 11pm Monday - Sunday. No external seating is proposed. The proposal does not include extensions to the building or new windows and therefore no adverse light, privacy, outlook or overbearing impacts arise as a result of the development. The neighbour amenity impacts associated with the operation are not materially different from that of the former restaurant use of the site.

The development accords with Local Plan Policies TC2, A1 and A4 of the Local Plan, the Amenity and Town Centre and Retail CPG, London Plan Policies D1, D3 and D14 and the objectives of the NPPF.

### ***Highway Impacts and Servicing***

The NPPF advises that development proposals should only be refused on highway grounds where severe highway impacts arise. London Plan Policy D3 requires development to facilitate efficient servicing of buildings. Local Plan Policy TC4 sets out that the Council will ensure that designated centres have suitable arrangements for parking, stopping and servicing that do not harm pedestrian movement. Policy CC5 requires all development to include facilities for the storage of waste and recycling. The Design CPG recommends that separate space is provided for recycling, food waste and residual waste and be designed to minimise neighbour amenity impacts

The proposal does not alter the existing/ former commercial servicing and waste storage arrangements, which are currently via Goodge Street. The development does not result in severe highway impacts and complies with London Plan Policies D1 and TC4 and London Plan Policy D3.

### **Summary & Conclusion:**

As set out in this letter, the development is in keeping with the character and appearance of the building and surrounding area, appropriate noise and odour mitigation has been installed to prevent adverse neighbour amenity impacts arising, the proposal does not alter the existing/ pre-existing access, servicing and waste storage arrangements. There is no conflict with the adopted development plan policies most relevant to the determination of the application. It is therefore respectfully requested that planning permission is granted.

I trust the commentary above is clear but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully

**Stuart Minty**  
**Director**  
**SM Planning**